

REMARKS

Claims 1-20 are pending in this Application. Reconsideration and allowance of this application are respectfully requested.

WITHDRAWAL OF FINALITY OF OFFICE ACTION

During a telephonic interview with Examiner Pardo on March 6, 2006, Applicants' representative asserted that the finality of this Office Action should be withdrawn to which Examiner Pardo agreed. Applicants submitted that it is improper to make a final rejection in a first Office Action in a "continued examination where the application contains materials that were presented in the earlier application after final rejection but was denied entry because it raises new issues that require further consideration and/or search" (MPEP 706.07(b)). Because new consideration and/or search were required, as indicated by the Examiner¹, Applicants requested withdrawal of the finality of the current Office Action.

CLAIM REJECTIONS - 35 U.S.C. §103

Claims 1-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cherrington et al. ("Cherrington"), U.S. Patent No. 6,070,155 in view of Melick et al. ("Melick"), U.S. Patent Publication No. 2001/0047283 A1. This rejection is respectfully traversed.

As discussed and agreed by the Examiner, Cherrington and Melick, individually or in combination, fail to disclose or suggest, *inter alia*, "the receipt inspection reporting data is processed via multi-layers for review and approval before being reported", as recited in claims 1, 5, 9 and 17.

¹ Advisory Action dated September 19, 2005 indicates that the proposed amendments filed after a final rejection would not be entered because "they raise new issues that would require further consideration and/or search".

The Examiner alleges on page 6 in the Office Action that, "Cherrington teaches generating and inspection report or a recommended/suggested service report after entering inspection results from different fields such as brake inspection results, suspension inspection results and exhaust inspection results". However, it is submitted that the inspection report of Cherrington is not processed through multi-layers for review and approval before being reported. Cherrington merely discloses an automated analysis system that employs a technician terminal for displaying a plurality of inspection screens and for entering inspection results. Further, Cherrington discloses a database system coupled to the technician terminal into a point-of-sale terminal such that the database system includes a specification database having specification, which then compares the specifications with the inspection results and generates the inspection report in response to the comparison. Nowhere does Cherrington disclose receipt inspection reporting data being processed through multi-layers for review and approval before being reported.

With respect to Melick, Applicants submit that Melick discloses a system and method for identifying, recording, storing and retrieving material handling equipment records and certifications at a centralized location (paragraph [0045]).

Accordingly, Cherrington and Melick, individually or in combination, fail to disclose or suggest, "the receipt inspection reporting data is processed via multi-layers for review and approval before being reported", as recited in claims 1, 5, 9 and 17.

For at least these reasons, Applicants submit that Cherrington and Melick, individually or in combination, fail to disclose or render obvious the features in independent claims 1, 5, 9 and 17. Claims 2-4, 6-8, 10-16 and 18-20 which depend from the independent claims are likewise distinguished over the applied art for at least the reasons discussed above, as well as for the additional features they recite. Reconsideration and withdrawal of the rejections are respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of each of claims 1-20 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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